

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

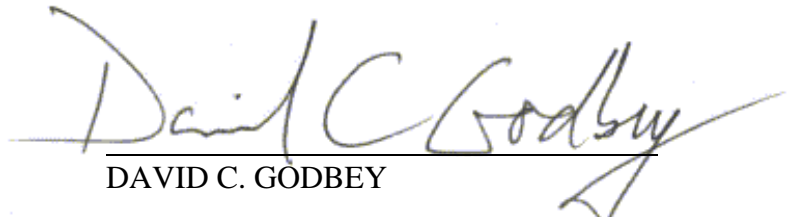
DONALD TERRELL BANKS,	§	
Defendant-Petitioner,	§	
	§	NO. 3:06-CV-1800-N (BF)
v.	§	(3:03-CR-078-N) (BF)
	§	ECF
UNITED STATES OF AMERICA,	§	
Plaintiff-Respondent.	§	

ORDER

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the Court is of the opinion that the findings, conclusions, and recommendation of the Magistrate Judge are correct.

IT IS, THEREFORE, ORDERED that the findings, conclusions, and recommendation of the United States Magistrate Judge are adopted. The Court notes that in view of recent action by the United States Sentencing Commission, Petitioner may move for a reduction in his sentence under the new Guideline for cocaine base on or after March 3, 2008, pursuant to 18 U.S.C. sec. 3582(c)(2).

SIGNED December 13, 2007.



DAVID C. GODBEY
UNITED STATES DISTRICT JUDGE